

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P2558PCOO/TK (PCT237)	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/FI2005/050048	International filing date (day/month/year) 24-02-2005	Priority date (day/month/year) 25-02-2004
International Patent Classification (IPC) or national classification and IPC See Supplemental Box		
Applicant Nokia corporation et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. ☒ (sent to the applicant and to the International Bureau) a total of 5 sheets, as follows:
- ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand 30-11-2005	Date of completion of this report 30-05-2006
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88 Form PCT/IPEA/409 (cover sheet) (April 2005)	Authorized officer Jesper Bergstrand /OGU Telephone No. +46 8 782 25 00

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International application No. .

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: **Cover sheet**

International patent classification (IPC)

H04N 13/00 (2006.01)

H04N 5/247 (2006.01)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. **PCT/FI2005/050048**

Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of:
☐ international search (Rules 12.3(a) and 23.1(b))
☐ publication of the international application (Rule 12.4(a))
☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
☒ the description:
 pages 1-22 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
☒ the claims:
 pages _____ as originally filed/furnished
 pages* _____ as amended (together with any statement) under Article 19
 pages* 25-29 received by this Authority on 18-04-2006
 pages* _____ received by this Authority on _____
☒ the drawings:
 pages 1-7 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (specify): _____
☐ any table(s) related to the sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (specify): _____
☐ any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>2-8, 11-17, 19-27</u>	YES
	Claims	<u>1, 9-10, 18</u>	NO
Inventive step (IS)	Claims	<u>19-27</u>	YES
	Claims	<u>1-18</u>	NO
Industrial applicability (IA)	Claims	<u>1-27</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

This report has been based on the amended claims filed with the letter of 18-04-2006.

Reference is made to the following documents:

D1: EP0830034 A
D2: EP1379063 A
D3: US20010026249 A
D4: EP1357726 A
D5: EP1379073 A
D6: EP0701369 A
D7: US20030214712 A

From D1 an electronic equipment, which includes: camera means for forming data on an object located in the imaging direction, in which case the camera means include at least two camera units, which mutual distance can be adjusted and which are arranged to be turnable relative to each other; and data processing means, which are arranged to process the data formed by the camera means, according to the currently chosen imaging mode of the equipment, in order to form image information; and in which equipment, the mutual position of the camera units relative to each other is arranged to be altered to correspond to the current imaging mode, is known (refer to page 18, lines 33-37, page 34, line 5-page 35, line 37; figures 3, 4, 21a, 46, 47, 55 and 56; claims 30, 33, 34 and 44 and abstract), wherein a turning of the camera units relative to each other is functionally connected to the adjustment of the distance between the camera units (refer to the 18th embodiment, and especially page 34, lines 50-55 and figures 55 and 56).

Consequently, the subject matter of claim 1 is previously known and therefore lacks novelty.

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Supplemental Box

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1(3)

Since the present invention according to the independent claim 10 (system) does not encompass any technical features not present in claim 1, the analysis above concerning claim 1 is also applicable to this claim.

Hence, the present invention according to claim 10 lacks novelty over D1, and is therefore not patentable.

The technical feature of claim 1 "the mutual position of the camera units relative to each other is arranged to be altered to correspond to the current imaging mode" is known from D1 (refer to the 3rd and the 4th embodiments and especially page 18, lines 33-37), since the tilt angles can be changed and thereby the "mutual position" is altered in order to change the imaging view.

Further, the technical feature of claim 1 "wherein a turning of the camera units relative to each other is functionally connected to the adjustment of the distance between the camera units" is also known from D1, since both the turning of the camera units and the adjustment of the distance is controlled by the same control button (7503) and therefore there exists a function describing the relationship between the camera unit angle and the distance between the camera units, i.e. there is a functional relationship.

The applicant's agent states in the letter of 18-04-2006 that there is no functional (i.e. mechanical) control connections between the turning movement and the distance movement of the camera units.

This is true in the sense that there is no direct mechanical control connection in D1, since the control is electronic with a control button (7503) and drivers (6708a and 6708b).

However, the examiner does not believe that the phrase "functionally connected" necessarily must mean mechanical, but can also be applicable to electronics and drivers.

Furthermore, the applicant's agent also states in the letter of 18-04-2006 that D1 does not disclose any dependent functional connection between the camera units in which one type of movement generates mechanically another type of movement.

In this way, the present invention differs from the system in
.../...

Supplemental Box

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2(3)

D1, but since the wording of claims 1 and 10 is "functionally connected", the examiner finds no reason to reconsider.

The applicant's agent also states in the letter of 18-04-2006 that the user does not need any particular experience when adjusting the position of the camera units relative to each other in order to perform the desired type of imaging. However, since the examiner believes that there is no particular experience needed to operate the camera according to D1, this argument does not render any reconsideration of the examiner's point of view.

Furthermore, the applicant's agent mentions a "panorama imaging mode" in the letter of 18-04-2006. However, this "panorama imaging mode" is only mentioned in claims 9, 18 and 25, where it says that "data are combined at least partly with each other to permit a panorama-imaging mode". Since a "panoramic synthesized image" is known from claim 33 of D1, it is deemed that also claims 9 and 18 lacks novelty over D1.

Furthermore, the equipment/systems referred to in claims 2-8 and 11-17 are considered to lack an inventive step over D1, since what is defined in these claims is not considered to differ essentially from what is known from the cited document (D1). If it can be shown that some aspect covered by claims 2-8 and 11-17 provides unexpected effects and the claims are restricted accordingly, the judgement may be reconsidered. Until these conditions are met, claims 2-8 and 11-17 are not considered to involve an inventive step.

However, the invention defined in claims 19-27 is not disclosed by any of the above-mentioned documents (D1-D7).

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed method in electronic equipment for forming image information, in which camera means are used to perform imaging of an object in the imaging direction, which camera means include at least two camera units, which mutual distance can be adjusted and which can be turned relative to each other, the data formed by which is processed by processing means, in a manner according to the currently selected imaging mode, in order to form image information and in the method, the mutual position of the camera units relative to each other is altered, to correspond to the current imaging mode, and wherein the camera units are
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3 (3)

turned by adjusting the distance between the camera units.

Therefore, the claimed invention is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 19-27 is novel and is considered to involve an inventive step.

Consequently, the claimed invention according to claims 1, 9-10 and 18 lacks novelty over D1, whereas the claimed invention according to claims 2-8 and 11-17 is novel, but not considered to involve an inventive step over the teachings of D1, and whereas the claimed invention according to claims 19-27 is novel, and considered to involve an inventive step.

Further, the claimed invention according to claims 1-27 is industrially applicable.